
Iowa Legislative Services Agency Fiscal Services

Dennis Prouty
(515) 281-5279
FAX 281-8451



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Judicial Salaries

ISSUE

This *Issue Review* provides background information on the State's Court System, as well as the history of judicial salaries and benefits and a comparison to the national average.

AFFECTED AGENCIES

Judicial Branch

CODE AUTHORITY

Chapter 602, Code of Iowa

BACKGROUND

Iowa's Court System consists of the Supreme Court, the Court of Appeals, and the District Courts. During the 1998 Session, HF 2471 (Supreme Court Justices and Court of Appeals Judges Act) changed the number of Supreme Court Justices and Court of Appeals Judges beginning in FY 2000. The Act reduced the Supreme Court Justices from nine to seven, and increased the Court of Appeals Judges from six to nine.

The Supreme Court consists of one Chief Justice and six Justices. The Court has general appellate jurisdiction for criminal and civil cases, and exercises supervisory and administrative control over the Court System pursuant to Article V, Constitution of Iowa.

The Court of Appeals consists of one Chief Judge and eight Associate Judges. The Court hears cases referred by the Supreme Court.

Iowa has a unified trial court system, referred to as District Courts, and is divided into eight judicial districts, which handle all types of civil, criminal, juvenile, and probate cases. Each district has a Chief Judge. In addition, there are six types of judgeships within each District with differing levels of responsibilities, including:

- Magistrates who issue search warrants and emergency hospitalization orders, hold preliminary hearings, and preside over trials dealing with small claims (\$5,000 or less), simple misdemeanors, and forcible entry and

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detained actions. Magistrates are not required to be lawyers as are other Judges. There are 149 full-time magistrates.

- District Associate Judges who have the same jurisdiction as Magistrates in addition to hearing indictable misdemeanors, civil actions involving \$10,000 or less, Operating While Intoxicated (OWI) felonies, and some juvenile cases. There are 57 District Associate Judges. The number of Judges is determined in two ways. First, Section 602.6301, Code of Iowa, provides a formula based on county population. Second, Section 602.6302, Code of Iowa, allows for the conversion of three judicial magistrate judgeships into one district associate judgeship. Of the 57 District Associate Judgeships, 37 resulted from the formula, 19 resulted from conversions, and one was created by Chapter 207, Section 7(f), 1995 Iowa Acts.
- Associate Juvenile Judges who handle only juvenile matters, including delinquency proceedings, children in need of assistance, abuse and neglect, and termination of parental rights proceedings. There are 12 Associate Juvenile Judges.
- District Judges who have general trial court jurisdiction (civil, criminal, domestic relations, and probate). There are 108 District Court Judges and eight Chief Judges for a total of 116. The number of District Court Judges is prescribed by formula in Section 602.6201, Code of Iowa, but capped statutorily at 116 in Section 602.6201(10), Code of Iowa. The formula is based on population and the number of civil and criminal filings. If the formula were used without the cap, there would be 145 judgeships.
- Associate Probate Judges who handle probate issues. The State only has one Associate Probate Judge located in Polk County.
- Senior Judges who can be assigned temporary judicial duties within the Courts. There are 28 Senior Judges. A Senior Judge must retire at the end of the twelve-month period during which the Judge attains 78 years of age. Senior Judges work 13 weeks or one-fourth of the year.

CURRENT SITUATION

Judicial salaries are set by the General Assembly pursuant to Section 602.1501, Code of Iowa. House File 881 (FY 2006 Salary Act) set judicial salaries as follows:

FY 2006 Judicial Salaries

Chief Justice of the Supreme Court	\$	132,720
Supreme Court Justice		128,000
Chief Judge of the Court of Appeals		127,920
Associate Judge of the Court of Appeals		123,120
Chief Judge of a Judicial District		122,000
District Judge		117,040
District Associate Judge		102,000
Associate Juvenile Judge		102,000
Associate Probate Judge		102,000
Judicial Magistrates		30,400
Senior Judges		6,800

House File 807 (FY 2006 Judicial Branch Appropriations Act) increased the number of magistrates from 191 to 206. Due to the increase in the cap, Dubuque, Pottawattamie, Dallas, Jasper, and Johnson Counties each received one new magistrate; Linn and Scott Counties each received two; and Polk County received six.

The FY 2006 Judicial Branch budget requested an additional District Associate Judge in Story, Dallas, and Warren Counties. The Judicial Branch has authorized these positions, effective October 1. The Judicial Branch's request to revise the current statutory formula (which would have created additional positions in Linn and Polk Counties) did not pass during the 2005 Legislative Session.

BUDGET IMPACT

For FY 2006, the Judicial Branch received an increase of \$320,000 to partially fund 15.0 new Magistrate FTE positions. The remaining \$22,000 will be made up within the Judicial Branch's current operating budget. The Judicial Branch also received additional funds for new District Associate Judgeships (including court reporters and court attendant positions) for Story, Dallas, and Warren Counties, effective October 1, 2005. The Judicial Branch received \$4.9 million in appropriations for salary adjustment to provide 4.5% step increases on eligibility dates for non-contract employees, similar to those provided for contract personnel.

Since FY 2000, judicial salaries have increased by approximately 16.5%, with the exception of those for Magistrates and Senior Judges. Magistrate salaries have increased by 19.7% since FY 2000 and salaries for Senior Judges have increased by 17.2% since FY 2000. In both FY 2003 and FY 2004, the Judges received mid-year salary increases. During FY 2005, judicial salaries were frozen at the FY 2004 level. **Attachment A** provides historical information on judicial salaries from 1984 to present.

Benefits for Judges total an additional \$8.4 million. The statutory State contribution rate for the Judicial Retirement Fund is 23.7%; however, this has been notwithstanding since FY 2001. For FY 2006, the estimated total amount of covered payroll was \$22.3 million for 197 members. For this amount, 23.7% would have been \$5.3 million; however, since the statute was notwithstanding to 9.2%, the State contribution to the Fund is \$2.0 million. Magistrates have the option to participate in the Iowa Public Employees Retirement System (IPERS) with a State contribution rate of 5.75% instead of the Judicial Retirement Fund. During the 2005 Legislative Session, HF 729 (Public Pension Omnibus Act) increased the Judges' contribution rate to the Judicial Retirement Fund.

The National Conference of State Legislatures (NCSL) did a national compilation of judicial salaries for all 50 states based on December 2003 information. The following table illustrates where Iowa ranks nationally in judicial compensation.

National Judicial Salary Compensation

	National Average	Iowa	Iowa's Rank
Supreme Court	\$ 131,471	\$ 122,500	28th
Court of Appeals	123,629	117,850	21st
District Court	114,431	112,010	24th

* National Center for State Courts survey, published Fall of 2004

STAFF CONTACT: Jennifer Acton (Ext. 17846)

Judicial Salaries

<http://www.staffweb.legis.state.ia.us/lfb/ireview/irview.htm>

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Annual Salaries of Iowa Judges

Calendar Year	Supreme Court		Court of Appeals		District Court						
	Chief Justice	Justices	Chief Judge	Judges	Chief Judge	District Judges	District Associate Judges	Juvenile Associate Judges	Probate Associate Judges	Magistrates	Senior Judges
1984	\$ 62,100	\$ 57,100	\$ 55,400	\$ 54,200	\$ 53,000	\$ 50,700	\$ 42,000			\$ 11,700	
1985	66,200	60,900	59,100	57,800	56,500	54,000	44,800			12,500	
1986	66,200	60,900	59,100	57,800	56,500	54,000	44,800			12,500	
1987	66,200	60,900	59,100	57,800	56,500	54,000	44,800			12,500	
1988	70,900	65,200	63,600	61,900	60,500	57,800	48,000			13,400	
1989	75,900	72,900	72,800	69,800	69,000	66,000	56,800			15,000	
1990	81,900	78,900	78,800	75,800	75,000	72,000	62,800			15,800	
1991	87,200	84,000	83,900	80,700	79,900	76,700	66,900			16,800	
1992	87,200	84,000	83,900	80,700	79,900	76,700	66,900			16,800	
1993	93,700	90,300	90,200	86,800	85,900	82,500	71,900			18,100	
1994	93,700	90,300	90,200	86,800	85,900	82,500	71,900			18,100	
1995	95,600	92,100	92,000	88,500	87,600	84,200	73,300			18,500	
1996	100,400	96,700	96,600	93,000	92,100	88,500	77,000			19,500	\$ 5,000
1997	104,400	100,600	100,500	96,700	95,800	92,000	80,100			20,300	5,200
1998	107,500	103,600	103,500	99,600	98,700	94,800	82,500			21,600	5,400
1999	110,700	106,700	106,600	102,600	101,700	97,600	85,000			23,100	5,600
2000	114,000	109,900	109,800	105,700	104,800	100,500	87,600	\$ 87,600	\$ 87,600	25,400	5,800
2001	117,400	113,200	113,100	108,900	107,900	103,500	90,200	90,200	90,200	26,900	6,000
2002	120,920	116,600	116,490	112,170	111,140	106,610	92,910	92,910	92,910	27,700	6,180
* 2003	124,550	120,100	119,980	115,540	114,470	109,810	95,700	95,700	95,700	28,530	6,370
* 2004	127,040	122,500	122,380	117,850	116,760	112,010	97,610	97,610	97,610	29,100	6,500
2005	127,040	122,500	122,380	117,850	116,760	112,010	97,610	97,610	97,610	29,100	6,500
2006	132,720	128,000	127,920	123,120	122,000	117,040	102,000	102,000	102,000	30,400	6,800
Percentage increase 2000-2006	16.4%	16.5%	16.5%	16.5%	16.4%	16.5%	16.4%	16.4%	16.4%	19.7%	17.2%

* Effective mid-year